DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0274-21**	**Applicant:**	**Mr & Mrs M O'Leary**
Proposal:	Two storey side extension		
Location:	55 Woodgate Road Moulton Chapel Spalding		
Terminal Date:	12th May 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two storey side extension to the property at 55 Woodgate Road, Moulton Chapel.

Site Description

The dwelling is a semi-detached property situated within the settlement boundary of Moulton Chapel. It is set well back from the road with a large gravelled driveway and grassed front garden.

The dwellings on the same side of the road are of the same age and design. To the east of Woodgate Road are predominantly detached bungalows. There are no properties to the rear.

History

No relevant planning history.

Consultation Responses

Public (1 no. comment, summarised) - Suggests that swift nest bricks be installed.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed extension will protrude a maximum of approx. 4.3m from the southern side elevation with an overall depth of approx. 7.4m at first floor. To the ground floor, the proposed extension will again protrude approx. 4.3m but with a depth of approx. 3.3m, with the remainder of that side being proposed as a small sheltered/open sided area below the first floor extension. Having regard to the existing dimensions of the house and plot it sits within, the two storey side extension is acceptable in terms of scale, mass and bulk.

The proposed extension would make one side of the pair of semi's larger than the other and more imbalanced in terms of appearance, however no. 59 to the south has already had such as extension and therefore there is a precedent for this form of development in the area.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined. A hipped roof will be formed to cover the proposed extension which is in keeping with the existing roof structure.

Internally, the purpose of the development is to enable the creation of an additional w/c and utility room to the ground floor, and an additional third bedroom and an en-suite to the first floor.

Overall, the proposals will ensure good living conditions of the house occupiers and are in keeping with the residential use of the property.

This proposal is for extension to an existing dwelling and it is not considered it would be reasonable (as per the NPPF and NPPG) to impose a condition requiring the installation of swift nest bricks.

Taking the above into account, the proposed two storey side extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Impact upon Residential Amenity

The proposed windows are to the front and rear elevations of the two storey extension. There are no properties to the rear and to the front it is tantamount to a typical frontage relationship. There would therefore not be a material overlooking impact from the proposal.

It is not considered that there would be an overbearing or overshadowing impact upon the neighbouring property to the south, with a separation distance of approx. 10m to the opposing

elevating and the side facing windows of that property would appear to be to non-habitable spaces.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Parking provisions

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 2 no. car spaces must be provided within the curtilage for dwellings with up to 3 no. bedrooms. The drive to the front is sufficient to accommodate this number of cars.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed two storey side extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

The recommendation is therefore for a delegated approval.